Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 1-16, 18, 20-49, and 51-58 are pending in the application. Claims 1-16, 18, 20-49, and 51-58 are rejected. No claims have been allowed. Claims 1, 25, 28, 36, 51, and 52 are independent. Claims 1, 25, 28, 36, 40, and 52 have been amended. Claims 2, 17, 19, 24, 30, 50-51, and 56-58 have been canceled without disclaimer or prejudice to renewal. Claim 59 is added. No new matter is introduced.

Statement of Substance of Interview

Applicants representatives conducted a telephonic interview with the Examiner on September 17, 2008. Previous amendments were discussed. Although no specific agreement was reached, the interview was helpful in surfacing issues.

Cited Art

The Action cites Parulski et al, U.S. Patent No. 6,930,718 (hereinafter "Parulski").

Claim Rejections under 35 U.S.C. § 102

The Action rejects claims 1-3, 7-16, 20-37, 41-49, and 51-58 under 35 USC 102(e) as being anticipated by Parulski. Applicants respectfully submit that claims 1, 3, 7-16, 20-29, 31-37, 41-49, and 52-55 are allowable over the cited art.

Claims 1, 3, 7-16, and 20-24 are Allowable Over Parulski

Amended claim 1 recites a method performed by a target computer of automatically processing digital images, the method comprising:

> passing a request to acquire a digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device, wherein the image capture device is selected from the group consisting of: a digital camera, a scanner, and a digital video camera;

acquiring the digital image file from the image capture device to the target computer that is separate from and connected to the image capture device by a connection selected from the group consisting of a wired connection and a wireless connection, the target computer having an application programming interface that facilitates transfer of digital image files from digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the digital image file from the image capture device;

at the target computer that is separate from and connected to the image capture device, analyzing image data from the digital image file; and

at the target computer that is separate from and connected to the image capture device, adjusting the image data from the digital image file based at least in part on the analysis of the image data;

wherein the analyzing and the adjusting are performed automatically at the target computer that is separate from and connected to the image capture device, and wherein the analyzing and the adjusting are initiated by the acquiring of the digital image file from the image capture device to the target computer without further input from the user; and

wherein the image capture device comprises an image capture device housing, and wherein the target computer comprises a computer housing that is separate from the image capture device housing.

Support for the above recited amendments can be found at, for example, original dependent claim 2; page 2, lines 13-15; page 5, lines 5-7; page 8, line 22 - page 9, line 3; page 10, lines 10-15; and page 11, lines 5 - page 12, line 29. Parulski does not teach or suggest the above recited language of claim 1.

Parulski's description of revision suggestions by a camera does not teach or suggest "passing a request to acquire a digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device." Parulski describes, for example "[f]ollowing successful capture of the original electronic image, exposure information for the derived scene image is analyzed for common photographer errors and oversights, and, in response to that analyzing, one or more revision suggestions for changes in an ensuing capture of an archival image of the same subject matter are displayed to the user." (Parulski, 17:8-13.) Elsewhere Parulski at 43:59 – 44:18 does describe a docking interface 422, the computer 424 and the printer 430 of FIG. 50:

> The camera 10 has a docking interface 420 that is compatible with a docking unit 422 of a personal computer 424. Electric power for the circuits of the camera is provided by rechargeable batteries 426. The batteries 426 are recharged via a power supply 428 that is connected to the docking unit 422. Other camera features, including the control system, are similar to those earlier described. For example, the camera produces digital images that are stored on a removable memory card 54a. The camera includes a zoom lens 76 having zoom and focus drivers 78, 88 and an adjustable aperture sand shutter (not shown in FIG. 50). The zoom lens 76 focuses light from the scene on an imager 24 such as a single chip color CCD image sensor using the well-known Bayer color filter pattern. The image sensor 24 is controlled by clock drivers 100. The zoom and focus and clock drivers 78, 88, 100 are controlled by control signals supplied by a controller 81. The controller 81 also receives input from autofocus and autoexposure detectors 126, 82 and controls a flash unit 115. The analog image signal from the imager 24 is amplified and converted to digital data by an ASP-A/D converter 104. The digital image data from the ASP-A/D 104 is stored in a DRAM buffer memory 54b and subsequently processed by the processor 106, which is controlled by firmware stored in a firmware memory 54c, using RAM memory 54d. Electronic images transferred through the docking interface 420 and docking unit 422 are printed by the computer 424 using a printer 430.

However, as understood by Applicants, none of these involve an automatic image analysis and adjustment service in a computer that passes a request to an external interface coupled to an image capture device. Instead, Applicants understand Parulski to describe that the analysis and adjustment, to the extent that they occur, are performed within the camera itself regardless of external elements or connections.

Therefore, Parulski can not and does not teach or suggest "passing a request to acquire a digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device" as recited in amended claim 1. Further, modifying Parulski to result in the claimed arrangement would change the underlying principle of Parulski.

Parulski does not teach or suggest "the target computer having an application programming interface that facilitates transfer of digital image files from digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the digital image file from the image capture device."

Claim 1 is not directed to an application programming interface (API) *per se*, but the presence of the API serves to further emphasize the separateness of the target computer and the image capture device.

Recitation of "an image capture device housing" and "a computer housing" leave no doubt that the image capture device and the computer are separate devices. Applicants have included the language to make clear that two, separate devices are involved.

Because Parulski does not teach or suggest each and every element of amended claim 1, claim 1 is therefore allowable over Parulski. Dependent claims 3, 7-16, and 20-24 are allowable at least because they depend from claim 1. Applicants respectfully request withdrawal of the § 102 rejections and allowance of claims 1, 3, 7-16, and 20-24.

Claims 25-27 are Allowable Over Parulski

Independent claim 25, as amended, recites a method performed by a target computer of automatically processing digital images the method comprising:

> passing a request to acquire a first digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device, wherein the image capture device is selected from the group consisting of: a digital camera, a scanner, and a digital video camera, and wherein the target computer is separate from and connected to the image capture device by a connection selected from the group consisting of a wired connection and a wireless connection;
>
> responsive to the request, acquiring a first digital image file from the image capture device to the target computer that is separate from and connected to the image capture device;
>
> responsive to the acquisition of a the first digital image file from the image capture device to the target computer which is separate from and connected to the image capture device, analyzing image data from the first digital image file at the target computer;
>
> initiated by the acquisition of the first digital image file from the image capture device to the target computer which is separate from and connected to the image capture device, and prior to receiving any user input relating to the analyzing, adjusting the image data from the first digital image file at the target computer based at least in part on the analysis of the image data; and
>
> generating metadata corresponding to the adjusting;

wherein the target computer has an application programming interface that allows transfer of digital image files from multiple different types of digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the first digital image file from the first digital image data source device; and

wherein the image capture device comprises an image capture device housing, and wherein the target computer comprises a computer housing that is separate from the image capture device housing.

Parulski does not teach or suggest the above recited language of amended independent claim 25.

Parulski's description of revision suggestions by a camera does not teach or suggest "passing a request to acquire a first digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device." As understood by Applicants, Parulski does not involve an automatic image analysis and adjustment service in a computer that passes a request to an external interface coupled to an image capture device. Instead, Applicants understand Parulski to describe that the analysis and adjustment, to the extent that they occur, are performed within the camera itself regardless of external elements or connections.

Therefore, Parulski can not and does not teach or suggest "passing a request to acquire a first digital image file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device" as recited in amended independent claim 25. Further, modifying Parulski to result in the claimed arrangement would change the underlying principle of Parulski.

Parulski does not teach or suggest "wherein the target computer has an application programming interface that allows transfer of digital image files from multiple different types of digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the first digital image file from the first digital image data source device." Independent claim 25 is not directed to an application programming interface (API) *per se*, but the presence of the API serves to further emphasize the separateness of the target computer and the image capture device.

Recitation of "an image capture device housing" and "a computer housing" leave no doubt that the image capture device and the computer are separate devices. Applicants have included the language to make clear that two, separate devices are involved.

Because Parulski does not teach or suggest each and every element of independent claim 25, claim 25 is allowable over Parulski. Claims 26 and 27 are allowable at least because they depend from independent claim 25. Applicants respectfully request withdrawal of the § 102 rejections and allowance of claims 25-27.

Claims 28, 29, 31-35 are Allowable Over Parulski

Independent claim 28, as amended, recites a computer system comprising:

> an external communication connection device at a target computer selected from the group consisting of a wired communication connection device and a wireless communication connection device;
>
> an image acquisition application programming interface at the target computer for acquiring one or more digital image files containing one or more digital images from a digital image source device coupled to the external communication connection device, wherein the digital image source device is separate from and connected to the target computer, and is selected from the group consisting of: a digital camera, a scanner, and a digital video camera;
>
> a memory at the target computer for storing the one or more acquired digital image data files containing the one or more acquired digital images;
>
> an image analysis software module at the target computer for analyzing the one or more acquired digital images at image acquisition time;
>
> an image adjustment software module at the target computer for adjusting the one or more acquired digital images at image acquisition time, wherein the adjusting is based at least in part on the analyzing, wherein the analyzing and the adjusting are initiated by the acquiring of the one or more digital image files containing one or more digital images from the digital image source device which is separate from and connected to the target computer and occur prior to further user input; and
>
> at least one processor at the target computer;
>
> wherein the image analysis software module and the image adjustment software module are in an image acquisition service of an operating system of the target computer, and wherein the one or more digital image files are acquired by passing a request to acquire the one or more digital image files from the image acquisition service of the operating system of the target computer to the

external communication connection device; and

wherein the image capture device comprises an image capture device housing, and wherein the target computer comprises a computer housing that is separate from the image capture device housing.

Parulski does not teach or suggest the above recited language of amended independent claim 28.

Parulski's description of revision suggestions by a camera does not teach or suggest "wherein the one or more digital image files are acquired by passing a request to acquire the one or more digital image files from the image acquisition service of the operating system of the target computer to the external communication connection device." As understood by Applicants, Parulski does not involve an automatic image analysis and adjustment service in a computer that passes a request to an external interface coupled to an image capture device. Instead, Applicants understand Parulski to describe that the analysis and adjustment, to the extent that they occur, are performed within the camera itself regardless of external elements or connections.

Therefore, Parulski can not and does not teach or suggest "wherein the one or more digital image files are acquired by passing a request to acquire the one or more digital image files from the image acquisition service of the operating system of the target computer to the external communication connection device" as recited in amended independent claim 28. Futher, modifying Parulski to result in the claimed arrangement would change the underlying principle of Parulski.

Parulski does not teach or suggest "an image acquisition application programming interface at the target computer." Independent claim 28 is not directed to an application programming interface (API) *per se*, but the presence of the API serves to further emphasize the separateness of the target computer and the image capture device.

Recitation of "an image capture device housing" and "a computer housing" leave no doubt that the image capture device and the computer are separate devices. Applicants have included the language to make clear that two, separate devices are involved.

Because Parulski does not teach or suggest each and every element of independent claim 28, claim 28 is allowable over Parulski. Claims 29 and 31-35 are allowable at least because they depend from independent claim 28. Applicants respectfully request withdrawal of the § 102 rejections and allowance of claims 28, 29, and 31-35.

Claims 36, 37, and 41-49 are Allowable Over Parulski

Independent claim 36 recites a software system for automatically processing digital images in a target computer, the software system comprising:

> at the target computer:
>
> means for passing a request to acquire an image data file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device which is separate from and connected to the target computer, wherein the image capture device is selected from the group consisting of: a digital camera, a scanner, and a digital video camera;
>
> means for receiving, responsive to the request, a digital image file comprising a digital image from the image capture device that is separate from and connected to the target computer via a connection selected from the group consisting of a wired connection and a wireless connection, the receiving facilitated by an application programming interface that facilitates transfer of digital image files from digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the digital image file from the image capture device;
>
> means for analyzing digital image data in the received digital image file, wherein the means for analyzing automatically analyzes the digital image data responsive to the received digital image file and without further user input; and
>
> means for adjusting the digital image based on the automatic analysis of the digital image data, wherein the means for adjusting automatically adjusts the digital image data responsive to the automatic analysis without further user input;
>
> wherein the image capture device comprises an image capture device housing, and wherein the target computer comprises a computer housing that is separate from the image capture device housing.

Parulski does not teach or suggest the above recited language of amended independent claim 36.

Parulski's description of revision suggestions by a camera does not teach or suggest "means for passing a request to acquire an image data file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device which is separate from and connected to the target computer." As understood by Applicants, Parulski does not involve an automatic image analysis and adjustment service in a computer that passes a request to an external interface coupled to an image capture device. Instead, Applicants understand Parulski to describe that the analysis and adjustment, to the extent that they occur, are performed within the camera itself regardless of external elements or connections.

Therefore, Parulski can not and does not teach or suggest "means for passing a request to acquire an image data file from an automatic image analysis and adjustment service in the target computer to an external interface coupled to an image capture device which is separate from and connected to the target computer" as recited in amended independent claim 36. Further, modifying Parulski to result in the claimed arrangement would change the underlying principle of Parulski.

Parulski does not teach or suggest "the receiving facilitated by an application programming interface that facilitates transfer of digital image files from digital image data source devices to the target computer, the application programming interface comprising a member function configured to retrieve the digital image file from the image capture device." Independent claim 36 is not directed to an application programming interface (API) *per se*, but the presence of the API serves to further emphasize the separateness of the target computer and the image capture device.

Recitation of "an image capture device housing" and "a computer housing" leave no doubt that the image capture device and the computer are separate devices. Applicants have included the language to make clear that two, separate devices are involved.

Because Parulski does not teach or suggest each and every element of independent claim 36, claim 36 is allowable over Parulski. Claims 37 and 41-49 are allowable at least because they depend from independent claim 36. Applicants respectfully request withdrawal

of the § 102 rejections and allowance of claims 36, 37, and 41-49.

Claims 52-55 are Allowable Over Parulski

Independent claim 52 recites a software system providing automatic digital image processing functionality at a target computer, the software system comprising:

> a customizable software architecture for adjusting digital image data at a target computer based on analysis performed at the target computer, wherein the adjusting and the analysis of the digital image data is responsive, without further user input, to acquisition of one or more files containing digital images by the target computer from an image capture device which is separate from and connected to the target computer by a connection selected from the group consisting of a wired connection and a wireless connection, wherein the customizable software architecture is capable of operably coupling one or more image adjustment modules encapsulating image adjustment functions to one or more image analysis modules;
>
> wherein the functionality of the software system is capable of being customized by altering an arrangement of image adjustment modules operably coupled to the one or more image analysis modules;
>
> wherein the acquisition is responsive to passing a request to acquire an image data file from the customizable software architecture for adjusting digital image data in the target computer to an external interface coupled to the image capture device, wherein the image capture device is selected from the group consisting of: a digital camera, a scanner, and a digital video camera;
>
> wherein the target computer has an application programming interface that facilitates transfer of digital image files from the image capture device to the target computer, the application programming interface comprising a member function configured to retrieve a digital image file from the image capture device; and
>
> wherein the image capture device comprises an image capture device housing, and wherein the target computer comprises a computer housing that is separate from the image capture device housing.

Parulski does not teach or suggest the above recited language of amended independent claim 52.

Parulski's description of revision suggestions by a camera does not teach or suggest "wherein the acquisition is responsive to passing a request to acquire an image data file from

the customizable software architecture for adjusting digital image data in the target computer to an external interface coupled to the image capture device." As understood by Applicants, Parulski does not involve the claimed arrangement. Instead, Applicants understand Parulski to describe that the analysis and adjustment, to the extent that they occur, are performed within the camera itself regardless of external elements or connections.

Therefore, Parulski can not and does not teach or suggest "wherein the acquisition is responsive to passing a request to acquire an image data file from the customizable software architecture for adjusting digital image data in the target computer to an external interface coupled to the image capture device" as recited in amended independent claim 52. Further, modifying Parulski to result in the claimed arrangement would change the underlying principle of Parulski.

Parulski does not teach or suggest "wherein the target computer has an application programming interface that facilitates transfer of digital image files from the image capture device to the target computer." Independent claim 52 is not directed to an application programming interface (API) *per se*, but the presence of the API serves to further emphasize the separateness of the target computer and the image capture device.

Recitation of "an image capture device housing" and "a computer housing" leave no doubt that the image capture device and the computer are separate devices. Applicants have included the language to make clear that two, separate devices are involved.

Because Parulski does not teach or suggest each and every element of independent claim 52, Claim 52 is allowable over Parulski. Claims 53-55 are allowable at least because they depend from amended independent claim 52. Applicants respectfully request withdrawal of the § 102 rejections and allowance of claims 52-55.

Claim Rejections under 35 U.S.C. § 103(a)

Each of claims 4-6, 18, and 38-40 are rejected as unpatentable under 35 U.S.C. § 103(a) over Parulski in view of Official Notice. Applicants traverse.

Claims 4-6 and 18 are Allowable Over Parulski in View of Official Notice

Applicants respectfully dispute that the subject matter of each of dependent claims 4-6 and 18 is "common knowledge in the art [which] are capable of instant and unquestionable demonstration as being well-known" as required by MPEP § 2144.03. Further, claim 1 is allowable over Parulski in view of the Official Notice, and dependent claims 4-6 and 18 are allowable at least because they depend from claim 1. Also, although Official Notice is taken that concepts and advantages of the language were well-known, Applicants dispute that the subject of Official Notice would be combined with every possible other technology, such as the claimed arrangement.

Applicants respectfully request withdrawal of the § 103 rejections and allowance of claims 4-6 and 18.

Claims 38 and 40 are Allowable Over Parulski in View of Official Notice

Applicants respectfully dispute that the subject matter of each of dependent claims 38-40 is "common knowledge in the art [which] are capable of instant and unquestionable demonstration as being well-known" as required by MPEP § 2144.03. Further, independent claim 36 is allowable over Parulski in view of the Official Notice, and dependent claims 38 and 40 are allowable at least because they depend from claim 36. Also, although Official Notice is taken that concepts and advantages of the language were well-known, Applicants dispute that the subject of Official Notice would be combined with every possible other technology, such as the claimed arrangement.

Applicants respectfully request withdrawal of the § 103 rejections and allowance of claims 38 and 40.

Interview Request

If the claims are not found by the Examiner to be allowable, the Examiner is requested to call the undersigned attorney to set up an interview to discuss this application.

Conclusion

The claims in their present form should be allowable. Such action is respectfully requested.

Respectfully submitted,

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